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## PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

# PCT

### NOTIFICATION RELATING TO DECLARATION MADE UNDER PCT RULE 4.17

(PCT Rules 26ter.2(b), 47.1(a-ter) and 48.2(a)(x)  
and Administrative Instructions, Section 419)

Date of mailing ( <i>day/month/year</i> ) 28 May 2003 (28.05.03)	
Applicant's or agent's file reference 5108N2P1-PCT	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/US03/05395	International filing date ( <i>day/month/year</i> ) 21 February 2003 (21.02.03)
Applicant <b>BAYER PHARMACEUTICALS CORPORATION</b>	

<p>1. The applicant is hereby <b>notified</b> of the following regarding the declaration indicated below in respect of (<i>name(s) indicated in the declaration</i>) ZHANG, Chengzhi; BURKE, Michael; CHEN,Zhi; DUMAS,Jacques; FANDongping; JONES, Benjamin, D.; LADOUCEUR, Gaetan; LEE, Wendy; PHILLIPS, Barton; WILHELM, Scott, M.; ZHAO, Qian.</p> <p>(i) <input type="checkbox"/> declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i) and Section 211)</p> <p>(ii) <input type="checkbox"/> declaration as to the applicant's entitlement, as at the international filing date, to apply for or be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii) and Section 212)</p> <p>(iii) <input type="checkbox"/> declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii) and Section 213)</p> <p>(iv) <input checked="" type="checkbox"/> declaration of inventorship (for the purposes of the designation of the United States of America) (Rules 4.17(iv) and 51bis.1(a)(iv) and Section 214)</p> <p>(v) <input type="checkbox"/> declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v) and Section 215)</p>	
<p>2. <input checked="" type="checkbox"/> <b>Addition or correction of the declaration within the time limit under Rule 26ter.1.</b></p> <p>The added or corrected declaration was received on (<i>date</i>), 13 May 2003 (13.05.03) which was received within the time limit under Rule 26ter.1.</p> <p>Any declaration referred to under items 1(i) to (iv) whether or not the declaration complies with Rule 4.17, will be communicated to the designated Offices concerned pursuant to Rule 47.1(a-ter) and any declaration referred to under item 1(v) will be published as part of the pamphlet pursuant to Rule 48.2(a)(x).</p>	
<p>3. <input type="checkbox"/> <b>Failure to add or correct the declaration within the time limit under Rule 26ter.1.</b></p> <p>The declaration, was received on (<i>date</i>) which was after the expiration of the time limit under Rule 26ter.1; therefore, any such declaration referred to under items 1(i) to (iv) will not be communicated to the designated Offices concerned, any such declaration referred to under item 1(v) will not be published as part of the pamphlet, and any signed declaration referred to under item 1(iv) is attached. Such declaration should be submitted by the applicant directly to the designated Offices concerned.</p>	
<p>4. The applicant's attention is drawn to Rule 51bis.2 which provides that the designated Office shall not, unless it may reasonably doubt the veracity of the declaration concerned, require any document or evidence relating to the subject matter of any declaration complying with Rule 4.17(i) to (iv) which is contained in the request or submitted to the International Bureau or directly to the designated Office. Note, however, that Rule 51bis.2 may not apply in respect of certain States. For further information, see Notes to the request form, Box No. VIII.</p>	
<p>5. A copy of this notification is being sent to the receiving Office and the International Searching Authority.</p>	
<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. (41-22) 338-70-90</p>	<p>Authorized officer Carlos NARANJO</p> <p>Telephone No. (41-22) 338.83.49</p>